

## **COMMUNITY MEETING REPORT FOR REZONING PETITION NO. 2021-246**

**Petitioner:** MPV Properties  
**Rezoning Petition No.:** 2021-246  
**Property:** ±1.5 acres located along Providence Road

This Community Meeting Report is being filed with the City of City Clerk and the Charlotte-Mecklenburg Planning, Design and Development Department pursuant to 6.203 of the City of Charlotte Zoning Ordinance.

### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:**

A representative of the Petitioner mailed a written notice of the date, time, and details of the Virtual Community Meeting to the individuals and organizations set out on **Exhibit A** by depositing the Community Meeting Notice in the U.S. mail on 3/16/2022. A copy of the written notice is attached as **Exhibit B**.

### **TIME AND DATE OF MEETING:**

The Community Meeting required by the Ordinance was held virtually on Wednesday, March 30<sup>th</sup>, 2022, at 6:00 PM.

### **PERSONS IN ATTENDANCE AT MEETING:**

The list of attendees from the required Community Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were Mark Newell with MPV Properties, Kevin Caldwell with Geoscience Group, Inc., and Charles Cacciabauda, the architect. Also present were Keith MacVean and Jeff Brown with Moore & Van Allen, PLLC. Mr. MacVean also introduced Council Member Edmund Driggs, District 7 representative.

### **SUMMARY OF ISSUES DISCUSSED AT MEETING:**

#### **I. Overview of Petitioner's Presentation.**

##### **Introduction and Overview of Development Plan.**

Keith MacVean with Moore & Van Allen started the meeting by welcoming the participants to the meeting and thanking them for attending the community meeting for Rezoning Petition No. 2021-246. He then introduced the Petitioner's representatives to the meeting attendees. He also explained to the participants how the meeting would proceed and reviewed the agenda.

Mr. MacVean and the petitioner's representatives provided the following information during the presentation:

Mr. MacVean explained to attendees the rezoning schedule.

Mr. Newell gave a brief introduction of the MPV Properties organization's history and project experience in the Charlotte and surrounding areas. He mentioned that medical office buildings are often considered amenities to the community.

The proposed plan is seeking a change in zoning from R-3 to O-1(CD) to allow development of the site with a small office building. Frontage is on Providence Road across from Spring Farm Lane. The South

District Plan recommends single family residential land use. The General Development Policies (GDP) residential location criteria would support residential densities of 17 dwelling units per acre or more. Due to the Site's location and configuration, a small office use can be an appropriate use and create a good transition between the existing uses. He explained the recently adopted Comprehensive 2040 Plan recommendation follows the South District Plan use. At this stage of the policy mapping process, place type recommendations for unique parcels like this are difficult. The parcel is  $\pm 700$  feet from the Arboretum Activity Center.

Mr. MacVean reviewed the Site plan which city staff have provided some initial comments and those comments are currently under review by the Petitioner and his engineer. The petition proposes a small, two-story medical office building with up to 18,000 square feet. A 16-ft class C buffer will be provided around the perimeter of the Site. Streetscape improvements will be made along Providence Road (i.e., wider sidewalk and planting strip). He also reviewed the proposed building elevation. Traffic was reviewed with a trip generation table determined by the Institute of Transportation Engineers. The office use will increase traffic by less than one car per minute in the morning peak hour and just over one car per minute in the afternoon peak hour when compared to by right development.

Mr. MacVean provided an updated site plan that is currently being studied by the Petitioner to address staff and resident comments. The revised site plan proposes to shift the building to the south and moves the driveway to the north. The revised site plan adds a 12-foot multi use path and right turn lane along Providence Rd. It also reduces the allowed square footage of the building to 17,000 square feet to provide required parking and accommodate other development requirements. There is a 20-foot undisturbed tree save area along the north and south property boundaries. The dumpster is shifted to the south and the allowed building height will be lowered to 45 feet.

Mr. MacVean then opened the meeting for questions.

## **II. Summary of Questions/Comments and Responses:**

Comments from residents generally focused on increased traffic, building architecture including signage and lighting, and community benefit. The proposed medical office building will have five (5) parking spaces per thousand square feet which would require 85 spaces for the proposed 17,000 square foot building. An office space lease is typically for about 3,000 square feet. Employees of these businesses will take about 30% of parking and the remaining 70% will be visitors.

The attendees asked about building use and if it was going to be restricted to the medical community. Mr. Newell commented that the building will attract medical practices including physical therapy, chiropractic services, and dentists but he expects they will also attract business offices such as accountants, real estate professionals, etc.

It was questioned if the Team will do anything about the U-turn activity and the number of trips generated by the proposed use. Mr. MacVean stated that NCDOT has requested that a right turn lane be created into the Site which the revised site plan would incorporate. The Petitioner had also requested crash data for the intersection which CDOT was in process of providing. A question was asked about a deceleration lane, and it is not required for this Site and the traffic it will generate. The Petitioner will work with CDOT and NCDOT to determine what improvements along Providence Rd. should be provided. Another question was asked if a Transportation Technical Memorandum (TTM) can be performed. The Petitioner's representatives indicated they would work with CDOT to see if a TTM was needed to evaluate the traffic generated by the proposed office use.

There was concern about a new development at Alexander that will increase traffic. There is already gridlock during peak hours between 3:00 PM and 7:00 PM. It was expressed that coming from certain

developments between 3:00 and 4:00 PM and making a left turn (south) on Providence Road is nearly impossible. Throughout the years, suggestions have been made by homeowner associations to install traffic lights, roundabouts, speed bumps and circles in this area to alleviate congestion, however to no avail. One attendee quoted the subdivision ordinance stating that there needs to be two driveways. Mr. MacVean explained that since this is not a subdivision the ordinance does not apply, and that requirement is intended for new residential communities.

One attendee stated that city staff wants a 100-foot setback. Mr. MacVean explained that he verified with zoning administration that this was not applicable. He also explained that urban city planners are more comfortable with buildings along the frontage of property than having parking lots along the street in response to a comment that the petitioner consider moving the building to the back of the Site and having parking along Providence Rd.

The team was asked about community benefits. Mr. Newell explained that they are developers and meet the needs of the area. He also stated that medical offices in the Arboretum area are at capacity. An office building of this nature will serve the residents in the area and could reduce their travel times. He stated that this use is a daytime and weekday use and much better than a high-density multi-family use which would have activity throughout the day and on weekends.

There was also a question about impervious area, and it was explained that the developer must follow city ordinance. The building footprint is merely 8,500 square feet of the Site. The attendee did not see on the Site plan the 10,000 square feet of impervious space but assumed some was in planted trees along the perimeter. Mr. Newell explained that the Site will be very well landscaped and would comply with all ordinances.

Another question was asked about lighting, safety, and security. There was concern about light pollution. Mr. Newell stated that the guidelines are quite clear, and the package lot lighting will be shielded from neighbors. They use specialized LED lighting. Mr. Caldwell added that there are foot candles along property lines and up lights on buildings. Several examples were shown from previous MPV projects. At this time there will be security for the building, and additional security measures would be undertaken for the parking area should the need arise. An additional question was asked about color lights. There will not be colored lights on the Site.

The final questions were regarding monument signage. Mr. Newell and Mr. Cacciabaudo shared rendered Site plans showing where potential building signage would be on the building. They provided frontage on Providence Road views as well as the front of the building that faces the parking lot. Mr. Newell stated that the signage and lighting is very well done and looks professional.

Mr. MacVean advised participants he would host another meeting at their request when a revised Site plan is developed.

The meeting was concluded, and participants were thanked for their time and interest in the project.

#### **CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:**

The petitioner will continue to work with staff in response to community feedback. The revised site plan for the site will shift the building and dumpster to the south and will reduce the allowed square footage to 16,400 square feet and increase the setback along Providence Rd. to 40 feet and add a right turn lane. A restriction on internally illuminated signs was also added to the site plan.

cc: Edmund Driggs, Charlotte City Council District 7 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Mark Newell, MPV Properties  
Jeff Brown, Moore & Van Allen, PLLC  
Keith MacVean, Moore & Van Allen, PLLC

## Exhibit A

### Adjacent Owners:

TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
21164217	BALAJI	KETHANDAPATTI	SHOBA C	BALAJI	1425 BRISTOL PLACE CT		CHARLOTTE	NC	28277
21164218	BIRDSONG	CARLOS	MALAKA	JACKSON	1431 BRISTOL PLACE CT		CHARLOTTE	NC	28226
21164220	LIAPIS	PETER	EVDOXIA	LIAPIS	3018 SPRINGS FARM LN		CHARLOTTE	NC	28226
21164221	RESCH	JASON M	ANNA M	RESCH	3012 SPRINGS FARM LN		CHARLOTTE	NC	28226
21164222	JONES JR	NATHANIEL	TAMMY L	JONES	3006 SPRING FARM LN		CHARLOTTE	NC	28226
21164223	MUNGAI	ROSEBELLE	MAMBO	WAINAINA	7526 PROVIDENCE RD		CHARLOTTE	NC	28266
21164224	ALIZADEH	FARAMARZ	ELHAM	ALIZADEH	7518 PROVIDENCE ROAD		CHARLOTTE	NC	28277
21164225	SCOTT	JEFFEREY	PAOLA MICHELLE	SCOTT	7510 PROVIDENCE RD		CHARLOTTE	NC	28226
21164226	MAYSTRENKO	EKATERINA	ALEXY	MAYSTRENKO	7502 PROVIDENCE RD		CHARLOTTE	NC	28226
21164449	MAGNOLIAS NEIGHBORHOOD ASSOC	INC			1950 SULLIVAN RD		ATLANTA	GA	30337
21164454	MORGAN	GEORGE	SANDY	MORGAN	3007 SPRINGS FARM LANE		CHARLOTTE	NC	28226
21164455	FB PARTNERS LLC				9407 BALFOUR DR		BETHESDA	MD	20814
21164456	LEWIS	JONATHAN	JENNIFER	CHUU	3011 SPRINGS FARM LN		CHARLOTTE	NC	28226
21164457	CHRISTOFARO	DAVID J	MELANIE A	CHRISTOFARO	3019 SPRINGS FARM LN		CHARLOTTE	NC	28226
21164498	MAGNOLIAS NEIGHBORHOOD ASSOC	INC			1950 SULLIVAN RD		ATLANTA	GA	30337
21343230	SHERMAN	ALLEN J			2922 SAINTFIELD PL		CHARLOTTE	NC	28270
21343231	VILLARET	SARAH J			2918 SAINTFIELD PL		CHARLOTTE	NC	28270
21343232	IBISEVIC	ALMIR	AMRA	IBISEVIC	2914 SAINTFIELD PL		CHARLOTTE	NC	28270
21343233	PARK	CHUN KON		JUNG HAE	2910 SAINTFIELD PL		CHARLOTTE	NC	28270
21343236	FINE	JOY ELIZABETH			2901 SAINTFIELD PL		CHARLOTTE	NC	28270
21343237	SCHUMANN	DEREK D	MICHELE M	SCHUMANN	2907 SAINTFIELD PLACE		CHARLOTTE	NC	28270
21343238	CURCIO	ANGELO	AMY	CURCIO	3301 FAWN HILL RD		MATTHEWS	NC	28105
21343239	BENTON	MATTHEW T	STEFANIE	BENTON	2915 SAINTFIELD PL		CHARLOTTE	NC	28270
21343240	SKAE	CHRISTOPHER M	ERIN E	SKAE	2919 SAINTFIELD PL		CHARLOTTE	NC	28270
21343241	SHEN	JOHN Y			2925 SAINTFIELD PL		CHARLOTTE	NC	28270
21343242	FRANCIS	WILLIAM A	JULIA A	FRANCIS	2931 SAINTFIELD PL		CHARLOTTE	NC	28270
21343243	NAVRATIL	TIMOTHY	SHERRY	NAVRATIL	2935 SAINTFIELD PL		CHARLOTTE	NC	28270
21343244	SCHONFELD	NATALIE	ARIEL	SCHONFELD	2936 SAINTFIELD PL		CHARLOTTE	NC	28270
21343245	GRYSKIEWICZ	JOHN A	CATHERINE VAN EVERY	GRYSKIEWICZ	2934 SAINTFIELD PL		CHARLOTTE	NC	28270
21343246	ANATO	KOFFI	NABILA	ANATO	7412 PRESCOTT POND LN		CHARLOTTE	NC	28270
21343247	BARNA	AARON	SUNNY	BARNA	7406 PRESCOTT POND LN		CHARLOTTE	NC	28270
21343264	SAINTFIELD PROPERTY OWNERS ASSOCIATION INC			C/O CUSICK COMMUNITY MGMT	11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
21344174	FONTAINE	GUY P			2821 SAINTFIELD PL		CHARLOTTE	NC	28270
21344175	BRADBURY	MATTHEW D			1101 JERICHO LN		CHARLOTTE	NC	28270
21344176	THE ARBORETUM LP			C/O ALLIANCE TAX ADVISORS	433 E LAS COLINAS BLVD STE 300		IRVING	TX	75039

### Neighborhood Organizations:

ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
Candlewyck Homeowners Association	Katrina	Somsel	6823 Candlewyck Lane		Charlotte	NC	28226
Candlewyck Homeowners Association	Megan	Dunn	2745 Quailrush Rd		Charlotte	NC	28226
Candlewyck Homeowners Association	Willian	Majercsik	2307 Lawton Bluff Rd		Charlotte	NC	28226
Cedars East	Charles A.	Newton	6536 Cedar Croft Dr		Charlotte	NC	28270
Deerfield	Angela	Johnson	8022 Providence Road, Suite 500/162		Charlotte	NC	28277
Dixie/Berryhill Community	Sue	Friday	6725 Brookfield Pl		Charlotte	NC	28270
Hembstead	Ken	Kerr	2221 Hogan Ct		Charlotte	NC	28270
Huntington Homeowners Association	Charles	Forrest	1241 Iverleigh Tr		Charlotte	NC	28270
Providence Springs	Doyle	George	3214 Springs Farm Ln		Charlotte	NC	28226
Ridgeloach Homeowners Association	Ken	Whitley	7744 Ridgeloach Pl		Charlotte	NC	28226

## **Exhibit B**

### **NOTICE TO INTERESTED PARTIES OF A REZONING PETITION PETITION # 2021-246**

Subject: Rezoning Petition No. 2021-246  
Petitioner/Developer: MPV Properties  
Current Land Use: vacant  
Existing Zoning: R-3  
Rezoning Requested: O-1(CD)

**Date and Time of Meeting:** **March 30, 2022 at 6:00 p.m.**

**Virtual Meeting Registration:** *Please send an email to Drenna Hannon at [drennahannon@mvalaw.com](mailto:drennahannon@mvalaw.com) to receive a secure meeting link.*

Date of Notice: 3/16/2022

We are assisting MPV Properties (the "Petitioner") on a recently filed request to rezone an approximately ±1.5-acre site located along Providence Road (the "Site") from R-3 to O-1(CD). The request is to allow the development of the Site with a small medical office building. Access to the Site will be from Providence Road.

The proposed office building will front on Providence Rd. with parking located to the rear and side of the building. A 16-foot Class C Buffer will be provided along the perimeter of the Site. A 30 foot setback will be provided along Providence Rd. The proposed building will have two stories and up to 18,000 square feet.

In accordance with local and state orders in place to prevent the further spread of COVID-19, the Petitioner will hold a **Virtual Community Meeting** to discuss this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning, Design and Development Department's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site.

**Accordingly, we are extending an invitation to participate in the upcoming Virtual Community Meeting to be held on March 30, 2022, at 6:00 p.m.**

***Please send an email to Drenna Hannon at [drennahannon@mvalaw.com](mailto:drennahannon@mvalaw.com) in order to receive a secure virtual meeting link and reference Petition #2021-246.***

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email [keithmacvean@mvalaw.com](mailto:keithmacvean@mvalaw.com) or call 704-331-3531 to make alternative arrangements to receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

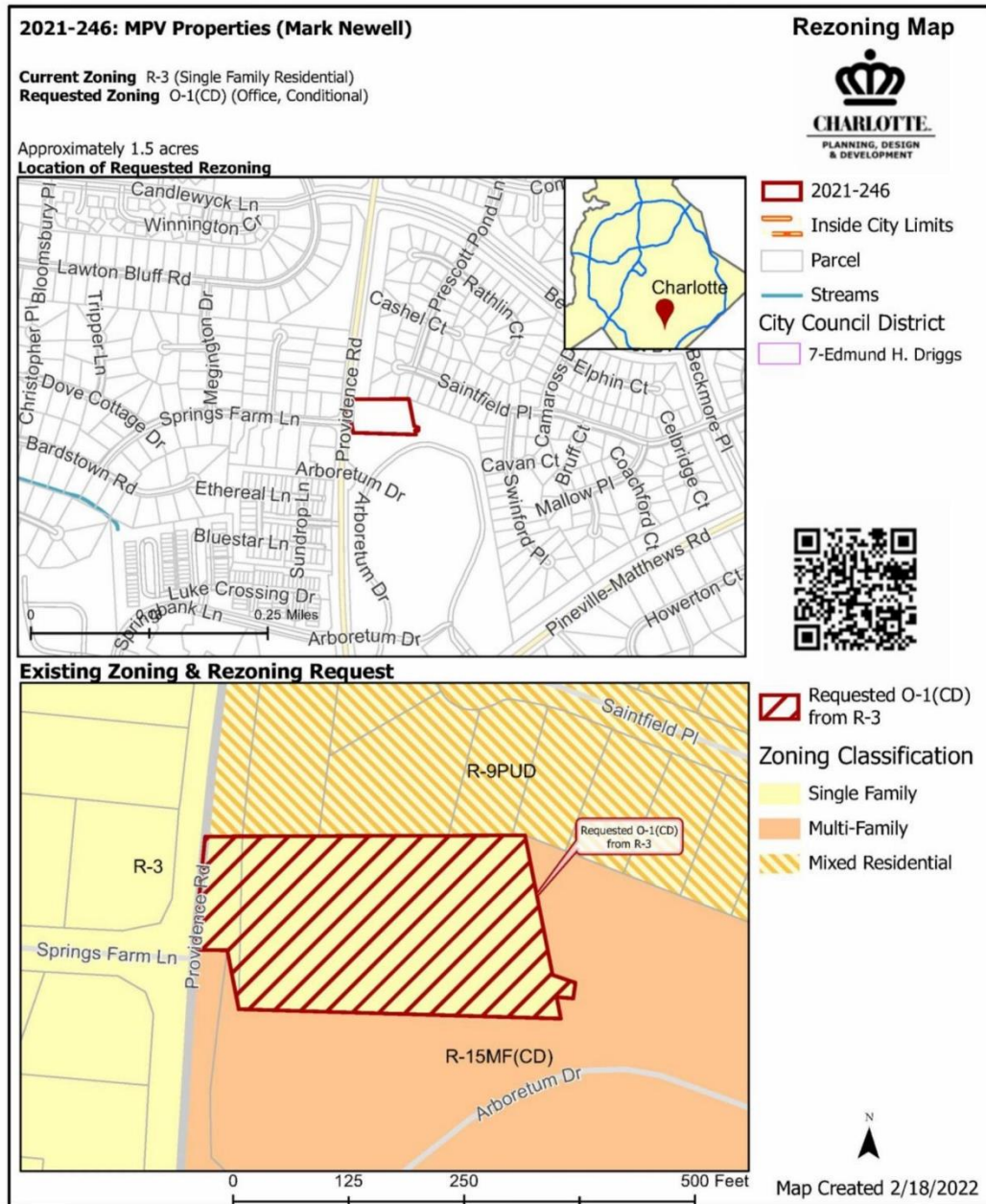
Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting. Thank you.

cc: Edmund Driggs, Charlotte City Council District 7 Representative  
David Pettine, Charlotte Planning, Design and Development Department  
Mark Newell, MPV Properties  
Keith MacVean, Moore & Van Allen, PLLC

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## Exhibit B (continued)

Site location:



**Exhibit C**

Name	Email
Tony King	<a href="mailto:tonykingtk@gmail.com">tonykingtk@gmail.com</a>
John Shen	
Dennis Grills	
Angus Mackay	
Susanne Reckford	
Dawn Martin	<a href="mailto:Dawn_Martin@s2s-global.com">Dawn_Martin@s2s-global.com</a>
K Doyle George	
Peter Liapis	<a href="mailto:pete.liapis12@gmail.com">pete.liapis12@gmail.com</a>
Mark Daniels	
Meckler	
John Gryskiewicz	<a href="mailto:jagryskiewicz@att.net">jagryskiewicz@att.net</a>
Ed Driggs	<a href="mailto:ed.driggs@charlottenc.gov">ed.driggs@charlottenc.gov</a>
Chase Martin	<a href="mailto:jys84@hotmail.com">jys84@hotmail.com</a>
Danielle D'Allaird	
Rick Heedick	HOA Pres
Catherine Rainbow	<a href="mailto:crainbow@aol.com">crainbow@aol.com</a>
Benjamin Fish	